

REMARKS

In response to the Official Action of March 27, 2007, claims 1, 7 and 11 have been amended in a manner which is believed to particularly point out and distinctly claim the invention.

Please note that applicant's attorney is submitting an executed Combined Declaration and Power Of Attorney together with this response. The Office did not issue a Notice to File Missing Parts in this matter, therefore, the executed Declaration was not previously submitted.

Claim Rejections - 35 USC §112

At paragraph 2, claims 2, 7 and 11 are rejected under 35 USC §112, second paragraph as being indefinite. With respect to claim 2, the phrase "all measures" has been deleted with substitution of all determining and processing actions. It is therefore clear that each of the actions recited in claim 1 is repeated at a repetitive rate. This claims is now believed to be definite.

With respect to claims 7 and 11, the Office indicated it was unclear whether the claims were directed to a method or an apparatus. Claim 7 is directed to a mobile device and claim 11 is directed to a display unit. As claim 7 is amended, it is clear that an image improvement unit is an element of the claims and is arranged to be able to perform various functions. Such an image improvement unit is indicated for a first embodiment of the invention as being the display processor (17) (see Figure 1 and accompanying description at page 7, lines 14-32). As such, clearly, an apparatus is being claimed.

Claim 7 further makes clear that it recites that a display processor is an element of the claim wherein the display processor is for processing the digital image by means of an image processing method while applying parameters which are determined by the image improvement unit. A display processor is an apparatus and it is therefore respectfully

submitted that claim 7 as amended is definite and is directed to an apparatus including the above elements.

Claim 11 has been amended in a manner similar to claim 7 and, for similar reasons, is also believed to be definite and directed to an apparatus; namely, a display unit.

Claim Rejections - 35 USC §102

At paragraph 4, claims 1, 2, 7 and 11 are rejected under 35 USC §102(e) as unpatentable in view of US patent 6,597,394, Duncan et al (hereinafter Duncan). It is asserted with respect to claims 1, 7 and 11 that Duncan discloses a mobile device comprising the elements recited in these claims as filed. Duncan in fact is directed to a programmable image transform processor that includes a programmable arithmetic block, an arithmetic block memory that stores an image processing procedure, and a microsequencer that executes the image processing procedure using image data to generate transformed image data (see Abstract of Duncan).

The image transform processor (ITP) receives digital input data from a camera and the digital input data is then subjected to a transform process in the ITP, whereby the image data can be processed with various arithmetic procedures, such as to carry out Laplacian filtering (see Figure 7 and column 23, lines 9-54).

The Office relies on Figures 2 and 3 of Duncan, as well as making specific reference to column 5, lines 1-11, column 4, lines 13-17 and 42-47, column 5, lines 28-60 and column 4, lines 26-41. None of these recited passages relate to an image transformation process itself but specifically relate to the image acquisition process; that is, how the analog image data captured by the image sensor is converted into digital image data. Although image 4 of Duncan is directed to an embodiment of an image transform processor, there is no discussion in Duncan that any instantaneous property of a display would affect the image transformation process.

In particular, the recited passage at column 4, lines 26-41 of Duncan is primarily directed to an image acquisition procedure using an analog signal processor (211) to process the image data before input to an analog-to-digital converter (212). There is no mention in this recited passage of determining parameters for an image processing method at least partly on the basis of an instantaneous property of the display and a property of the digital image. In fact, the recited passages in Duncan are directed to acquiring an analog image and applying an analog signal processor thereto prior to converting it into a digital image.

In summary, Duncan is not directed to a method of improving a digital image displayed on a display in which an instantaneous property of the display is determined, a property of the digital image is determined, and determining parameters for an image processing method at least partly on the basis of the instantaneous property of the display and the property of the digital image.

It is therefore respectfully submitted that claim 1 is not anticipated by Duncan.

Independent mobile device claim 7 and independent display device claim 11 recite elements corresponding functionally to the method recited in claim 1 and, for similar reasons, are also believed not to be anticipated by Duncan.

Since claim 1 is believed to not be anticipated by Duncan, it is further respectfully submitted that claim 2 which depends from claim 1 is further not anticipated by Duncan.

Claim Rejections - 35 USC §103

At paragraph 6, claims 3-5, 8-10, 14-16, 18 and 19 are rejected under 35 USC §103(a) as unpatentable over Duncan in view of US patent 6,124,971, Ouderkirk et al (hereinafter Ouderkirk).

Ouderkirk relates to a structure and materials used in a transreflective display of an LCD assembly (see Abstract of Ouderkirk). Ouderkirk does not disclose or suggest an improvement of image data as such and therefore even a combination of Duncan with

Ouderkirk would not suggest the additional features recited in claims 3-5, 8-10, 14-16, 18 and 19. These claims are further believed to be distinguished over Duncan in view of Ouderkirk due to their dependency from an independent claim which is believed to be not anticipated by the cited art.

At paragraph 7, claim 6, 12, 13 and 17 are rejected under 35 USC §103(a) as unpatentable over Duncan in view of Ouderkirk, further in view of US patent application publication 2002/0101554, Khan, et al (hereinafter Khan). Khan is cited as disclosing a method for adjusting color saturation in a display device. Each of the claims 6, 12, 13 and 17 ultimately depends from an independent claim which is believed to be not anticipated by the cited art and therefore each of these claims is believed to be further distinguished over the specific cited art applied thereto.

Newly submitted claim 20 corresponds to claim 7; that is, directed to a mobile device in which the elements recited therein use means plus function terminology. For the same reasons as those presented above with respect to claim 7, claim 20 is believed to be not anticipated by the cited art.

Newly submitted claim 21 corresponds to method claim 1, but does not recite the processing the digital image by means of the image processing method. As such, it is directed to a method for determining parameters for an image processing method on the basis of determining the instantaneous property of a display and determining a property of a digital image which is to be acted upon by the recited image processing method. For the same reasons as those presented above with respect to claim 1, independent claim 21 is believed to be not anticipated by Duncan.

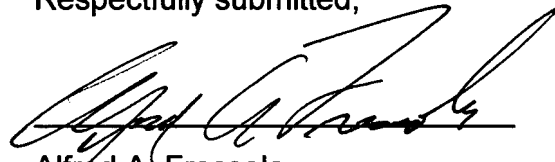
Newly submitted mobile device claim 22 is directed to a mobile device having elements whose functionalities are similar to new method claim 20 and, for similar reasons, is believed to be not anticipated by Duncan.

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In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Alfred A. Fressola', written over a horizontal line.

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